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SUBJECT: 60TH SESSION OF UNHCR EXCOM: FOCUS ON ASIA

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11. (SBU) Summary: UNHCR's operations in the Asia Region received much attention during the 60th Session of the Executive Committee (EXCOM) from September 28 to October 2. High Commissioner Guterres described UNHCR's efforts to provide assistance to large numbers of refugees and internally displaced persons in Afghanistan and Pakistan and how UNHCR is balancing security concerns for its staff in this region with its operational objectives. PRM A/S Schwartz, Head of the US Del, met with Pakistan and Afghanistan to encourage them to allow full access for humanitarian organizations to vulnerable populations and to promote greater cooperation on refugee returns to Afghanistan and cross-border movements. Discussions between the U.S. del and Thailand focused on plans to work more closely with IOM on the return of Lao Hmong from Petchabun camp to Laos. Unfortunately, the success achieved in the resettlement of Bhutanese refugees from Nepal to the U.S. and other countries has not produced greater cooperation between Nepal and Bhutan on promoting the return of Bhutanese who wish to return to their homes in Bhutan. The U.S. delegation was not able to meet Minister Samarasinghe to discuss the plight of IDPs still held in camps in Sri Lanka, but UNHCR and others continue to push the government to allow for greater freedom of movement of these persons. EndSummary.

12. (U) In Antonio Guterres' opening statement to the 60th Session of the Executive Committee (EXCOM) of the United Nations High Commissioner for Refugees (UNHCR), he listed the "shrinking" humanitarian space and blurring of "traditional distinctions" between civilian and military actors as the first of four major challenges for UNHCR. To highlight his point, he referred to the three UNHCR staff members who had been killed in a period of just six months in Pakistan. (Note: UNHCR's update on its operations in Asia also mentions that a UNHCR implementing partner in Afghanistan had also lost three staff members. End note.) Guterres also stated that Asia presents UNHCR with several situations under its third major challenge, i.e. to find durable solutions in protracted refugee situations. This includes developing strategies for refugee self-reliance in Bangladesh and Malaysia, providing greater support to refugee hosting areas in Pakistan, and introducing the strategic use of resettlement in Nepal. The U.S. delegation, led by Assistant Secretary for Population, Refugees, and Migration (PRM), Eric Schwartz, met with delegations from Afghanistan, Pakistan, and Thailand, and met with representatives from Bhutan and Nepal to discuss a wide range of issues in this region. A/S

Schwartz also met with ICRC President Jacob Kellenberger on its activities in Pakistan and Sri Lanka.

Pakistan

¶3. (SBU) A/S Schwartz met with Mr. Mohammad Raffat Pasha, Secretary of Pakistan's Ministry of States and Frontier Regions to discuss ongoing assistance to Afghan refugees and internally displaced persons (IDPs). Schwartz thanked the Government of Pakistan for its decision to extend Proof of Registration (POR) status for Afghan refugees through 2012 and stressed the need for Pakistan to allow humanitarian agencies full access to support the voluntary return of IDPs from the conflict in Swat and the neighboring districts to North and South Waziristan.

¶4. (SBU) Secretary Pasha said that more than 2 million persons had fled the fighting in NWFP and FATA regions, but that the majority have now returned. He said that returnees face significant challenges in rebuilding homes and businesses, but noted that a significant number still remain displaced in the region. He confirmed that Pakistan expects another outflow of up to 80,000 IDPs when the government launches its military offensive in Waziristan. He said that UN agencies cannot currently access these areas but that the government planned to establish camps if and when necessary.

¶5. (SBU) On the Afghan refugees, Pasha said that voluntary repatriation to Afghanistan has slowed considerably and wondered aloud how long Pakistan would have to host the remaining two to three million refugees. He added that his

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Ministry supported the three-year extension of the POR status to 2012, but that the Ministry of Interior was not in favor of this extension. He requested the U.S. to work closely with the government of Afghanistan to make return a priority again. A/S Schwartz and Pasha agreed that more could be done to promote employment opportunities for returnees inside Afghanistan. Pasha also requested U.S. assistance to help with border management issues, noting that some 18,000 Afghans are crossing the border with Pakistan on a daily basis. Pakistan would like to regularize this movement similar to a system it had in 1979 to issue travel documents. He confirmed that Pakistan had contacted the U.S. Embassy in Islamabad on this question. A/S Schwartz agreed to follow-up on these issues.

¶6. (SBU) In a separate meeting at ICRC, President Kellenberger said that in Pakistan ICRC is having a difficult time explaining to certain GOP branches ICRC's neutral position in the delivery of humanitarian assistance.. He said that ICRC does not have access to what it believes to be some 4,000 Taliban detainees held by Pakistan in Peshawar and Islamabad. He said that ICRC is currently discussing with Pakistan the importance of ICRC being able to access these detainees under International Humanitarian Law (IHL), which ICRC views as the applicable law in the ongoing conflict against the Taliban in Pakistan.

Side-Event on Pakistan

¶7. (U) Secretary Pasha, together with Kasidis Rochanakorn, UNHCR Director for Asia and the Pacific, co-hosted a side event called, "The Afghan Refugee Operation and the Humanitarian Situation in Pakistan." Rochanakorn described UNHCR's efforts to assist IDPs from Swat, Buner, and Dir, and outlined UNHCR's assistance to ongoing return activities. He said that military operations in South Waziristan will likely result in fewer IDPs, but will occur in areas of more restricted access. He affirmed that at present there are no major gaps in the delivery of humanitarian assistance.

¶8. (U) Secretary Pasha's presentation focused mostly on

Pakistan's refugee assistance efforts and he stated in his introduction that he had asked the U.S. during his bilateral negotiations to do more to convince Afghanistan to make returns a priority. During the question and answer session, several participants asked about the IDP situation in Swat and the expected Pakistani military offensive in South Waziristan. Pasha said that Pakistan will conduct military actions against "extremists" in South Waziristan this fall. He said that although the number of IDPs resulting from this operation is likely to be much smaller than those from NWFP and FATA, their displacement is likely to last much longer, owing to the difficult access in this region of the country for both humanitarian organizations and government entities.

Afghanistan

¶9. (SBU) A/S Schwartz pressed Abdul Karim Barahawi, Minister of Refugees and Repatriation in Afghanistan, on the issue of refugee returns from Pakistan, explaining that the government of Afghanistan (GOA) needed to send a clear signal that returns are still a priority for Pakistan. Barahawi confirmed that returns from Pakistan had declined from a high of 5 million between 2002-2003 to just over 50,000 so far in 2009, but noted two main factors that hindered greater numbers from returning, i.e., an uncertain security environment and a lack of jobs and access to social services.

Barahawi lamented that while it was certainly possible for the government to provide new programming to address the former, achieving a stable security environment would be much more difficult.

¶10. (SBU) A/S Schwartz raised the issue of the Land Allocation Schemes (LAS), explaining that many donors are reluctant to contribute to these schemes due to a lack of services available beyond basic construction and encouraged the GOA to focus on bringing the current sites up to a higher standard before moving to set up new ones. Barahawi confirmed that the GOA is currently only implementing 15 out of 58 planned LAS due to a shortage of budgetary resources and overall security concerns in many areas. However, he

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noted that the GOA also needed to provide services in areas where returnees are going, and that in some cases this was in areas outside of the current LAS sites. Barahawi conveyed his frustration that tripartite talks with Iran and UNHCR seem stalled and was not optimistic that they would be held soon.

Thailand

¶11. (SBU) During his discussions with Sihasak Phumangketkeow, Ambassador of Thailand to the UN Missions, Acting Deputy Assistant Secretary of State Margaret Pollack encouraged Thailand to finalize its operational agreement with the International Organization for Migration (IOM) on the voluntary return of Hmong refugees to Laos and to either release or improve conditions for Hmong refugees currently in the Nong Khai detention facility. The Thai delegation confirmed discussions with the government of Laos on the return of Hmong refugees from the Petchabun facility, and noted that it was understood between the two governments that IOM's participation would end at the Thai border. A/DAS Pollack and RMA Counselor Peter Mulrean stressed that IOM involvement in the return process on the Laos side would assure the voluntary nature of the movement, and perhaps send a positive signal to other Hmong refugees that return to Laos is safe. Nevertheless, the Thai delegation expressed its satisfaction that returnees would be well treated and assisted by the Laotian authorities, noting that previous returns had occurred without incident inside Laos.

Other Operations: Sri Lanka, Nepal-Bhutan

¶12. (SBU) The U.S. delegation was unable to hold a bilateral meeting with the Sri Lanka delegation as Minister Mahinda Samarasinghe from the Sri Lankan Ministry of Disaster Management and Human Rights departed Geneva on the first day of the EXCOM after attending one week of discussions at the Human Rights Council. Although HC Guterres' opening statement was silent on the situation in Sri Lanka, UNHCR's update on its Asia operations, however, did convey UNHCR's position that conditions for the some 271,000 IDPs still residing in camps in the north of the country should be improved, including allowing for the freedom of movement and family reunification, and that UNHCR is calling for direct access to return areas both before and after return movements. Minister Samarasinghe's statement to the plenary noted Walter Kalin's recent to Sri Lanka in positive terms and explained that Sri Lanka has been very careful about releasing IDPs because that some former LTTE elements hiding within the IDP population could "cause destabilization and chaos amongst civilians elsewhere in the country" if released. He also noted the importance of demining in areas of return prior to the IDPs going home, but stated that more than 23,000 persons had already returned/or resettled to Jaffna, Ampara, Batticaloa, Trincomalee, Vavuniya, and Mannar Districts.

¶13. (SBU) In a separate meeting, ICRC President Kellenberger told A/S Schwartz that ICRC was very frustrated with its current relationship with the government of Sri Lanka, but expected to know more about its operational role in 2010 by mid-October. Kellenberger said he had explained to the Sri Lankan Minister of Foreign Affairs during his last visit to Colombo that ICRC would only remain in Sri Lanka if it were able to plan and operate according to its own, independent needs assessments.

¶14. (SBU) UNHCR reported that resettlement of Bhutanese refugees from Nepal continues to progress with some 18,000 persons having already departed to third countries. Nevertheless, the question of Bhutan allowing some of the camp residents to return to Bhutan in the immediate future seems to still sit on the back burner. The Ambassadors of Bhutan and Nepal continue to state that return should be discussed in bilateral talks, yet acknowledge that these do not seem to be likely, and continue to point us either to the Bhutanese embassy in New Delhi or to lay the blame at each others doorstep for the delays on this issue.

GRIFFITHS